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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,087	02/17/2004	Matthew W. Starks	65856-0054	9884

10291 7590 06/12/2006

RADER, FISHMAN & GRAUER PLLC  
39533 WOODWARD AVENUE  
SUITE 140  
BLOOMFIELD HILLS, MI 48304-0610

EXAMINER
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BEAMER, TEMICA M

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/780,087	<b>Applicant(s)</b> STARKS ET AL.	
	<b>Examiner</b> Temica M. Beamer	<b>Art Unit</b> 2617	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-37 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments in the appeal brief filed March 17, 2006, with respect to the rejection(s) of claim(s) 1-37 have been fully considered and are persuasive. Therefore, the finality of the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Rothert et al (Rothert), U.S. Patent No. 6,141,610 and Ma et al (Ma), U.S. Patent No. 6,819,924 as set forth below.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, 11-13, 19-21 and 23-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Rothert.

Regarding claim 1, Rothert discloses a system for viewing measurements remotely, comprising: a processor (item 114) that is connected to a wireless communications device (item 306), the processor and the wireless communication device being external to an equipment (vehicles 301, 302) wherein the processor is programmed to retrieve at least one measurement from at least one measurement

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device via the wireless communications device (col. 7, lines 30-46, col. 9, lines 1-35; figures 1-3).

Regarding claim 2, Rothert discloses the system of claim 1, wherein the measurement represents at least one output from a sensor (items 14-17) (col. 6, lines 1-15).

Regarding claim 3, Rothert discloses the system of claim 1, further comprising a user interface connected to the processor (col. 5, lines 39-45).

Regarding claim 4, Rothert discloses the system of claim 1, wherein the processor is further programmed to configure the measurement device (col. 10, lines 29-40).

Regarding claim 5, Rothert discloses the system of claim 1, wherein the processor is further programmed to perform at least one of: displaying data that has been retrieved from the measurement device, analyzing data that has been retrieved from the measurement device, and storing data that has been retrieved from the measurement device (col. 9, line 37-col. 10, line 22).

Regarding claim 6, Rothert discloses the system of claim 1, wherein the processor is included in a computer that is selected from the group consisting of a custom-designed computing device, a desktop personal computer, a laptop personal computer, a handheld computer, and a java-enabled portable computing device (col. 5, lines 28-67).

Regarding claim 7, Rothert discloses the system of claim 1, further comprising a wireless network (col. 6, lines 29-43).

Regarding claim 8, Rothert discloses the system of claim 7, wherein the wireless communications device sends signals to the measurement device via the wireless network (col. 6, lines 29-43).

Regarding claim 9, Rothert discloses the system of claim 7, wherein the measurement device sends signals to the wireless communications device via the wireless network (col. 6, lines 29-43).

Regarding claim 10, Rothert discloses the system of claim 1, wherein the measurement device is selected from the group consisting of inherently a gauge and a transducer as evidenced by the fact that various components are being measuring (col. 3, lines 3-36).

Regarding claim 11, Rothert discloses the system of claim wherein the wireless communications device is capable of being attached to at least one second measurement output device (col. 3, lines 3-36, col. 6, lines 1-15).

Regarding claim 12, Rothert discloses a system comprising: at least one sensor that provides at least one output related to a component; and at least one measurement device comprising a processor (item 28) programmed to receive as an input the output from the sensor and wirelessly communicate with a remote device that is external to an equipment (col. 6, lines 1-52).

Regarding claim 13, Rothert discloses the system of claim 12, wherein the processor is further programmed to convert the input to a measurement (col. 6, lines 6-15).

Regarding claim 19, Rothert discloses the system of claim 12, further comprising a wireless network (col. 6, lines 29-43).

Regarding claim 20, Rothert discloses the system of claim 19, wherein the remote device sends signals to the measurement device via the wireless network (col. 6, lines 29-43).

Regarding claim 21, Rothert discloses the system of claim 19, wherein the measurement device sends signals to the remote device via the wireless network (col. 18, lines 19-55; figure 3).

Regarding claim 22, Rothert discloses the system of claim 12, wherein the measurement device is selected from the group consisting of inherently a gauge and a transducer as evidenced by the fact that various components are being measuring (col. 3, lines 3-36).

Regarding claim 23, Rothert discloses the system of claim 12, wherein the measurement device comprises a second wireless communications device that is capable of being attached to at least one second measurement output device (col. 3, lines 3-36, col. 6, lines 1-15).

Regarding claim 24, Rothert discloses the system of claim 12, wherein the processor is further programmed to receive configuration information from the remote device (col. 10, lines 29-40).

Regarding claim 25, Rothert discloses the system of claim 12, wherein the remote device is selected from the group consisting of inherently a custom-designed

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computing device, a desktop personal computer, a laptop personal computer, a handheld computer, or a Java-enabled portable computing device (col. 15, lines 28-67).

Regarding claim 26, Rothert discloses a system for viewing measurements remotely, comprising a first processor that is connected to a wireless communications device; at least one sensor that provides at least one output related to a component; and at least one measurement device comprising a second processor programmed to receive an input from the sensor and wirelessly communicate with the first processor, wherein the first processor is external to the equipment and is programmed to retrieve measurements from the measurement device via the wireless communications device (col. 6, lines 1-52).

Regarding claim 27, Rothert discloses wherein the component is a component in a vehicle (col. 6, lines 1-15).

Regarding claim 28, Rothert discloses wherein the at least one sensor is a plurality of sensors (col. 6, lines 1-15).

Regarding claim 29, Rothert discloses wherein the at least one measurement device is a plurality of measurement devices (col. 6, lines 1-15).

Regarding claim 30, Rothert discloses wherein the measurement relates to a component in the equipment (col. 6, lines 1-15).

Regarding claim 31, Rothert discloses the system of claim 1, wherein the equipment is a vehicle (col. 6, lines 1-15).

Regarding claim 32, Rothert discloses the system of claim 12, wherein the component is a component in a vehicle (col. 6, lines 1-15).

Regarding claim 33, Rothert discloses the system of claim 12, wherein the at least one sensor is a plurality of sensors (col. 6, lines 1-15).

Regarding claim 34, Rothert discloses the system of claim 12, wherein the at least one measurement device is a plurality of measurement devices (col. 6, lines 1-15).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Rothert in view of admitted prior art.

Regarding claims 14-18, Rothert discloses the system of claim 12 as described above. Rothert, however, fails to specifically disclose at least one analog signal within the ranges claimed, at least one digital signal and the use of a scaling function.

However, on page 6 of the specification (paragraphs 0024 and 0025), the applicant admits that such features are well-known in the art. Therefore, at the time of invention, it would have been obvious to a person ordinary skill in the art to modify Rothert with the teachings of admitted prior art since such teachings are well-known and used based on desired system performance.



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6. Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothert in view of Ma.

Regarding claims 35-37, Rothert discloses the system of claims 1, 12 and 26 as described above. Rothert, however, fails to disclose wherein the at least one measurement device is selectively detachably connected to a component in the equipment.

In a similar field of endeavor, Ma discloses a universal quality measurement system for multimedia and other signals. Ma further discloses a selectively detachable measurement device (col. 2, lines 13-23).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Rothert with the teachings of Ma for providing a convenient and mobile way to measure various signals (see Ma, abstract).

#### ***Reassignment Affecting Application Location***

7. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baese et al, U.S. Patent Pub. No. 2002/0049077, discloses a weather station located at a base station for measuring various environmental data.

Scholl et al, U.S. Patent No. 5,400,018, discloses a method of relaying information relating to the status of a vehicle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 7:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Temica M. Beamer

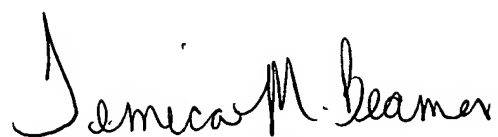
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Primary Examiner  
Art Unit 2617

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**TEMICA BEAMER**  
**PRIMARY EXAMINER**